



# EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. KBB 2005 - 39

## *DECLARATION OF PUBLIC HEALTH EMERGENCY FOR CONTROL AND DISPOSITION OF HUMAN REMAINS*

- WHEREAS,** pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency was declared through Proclamation No. 48 KBB 2005;
- WHEREAS,** subsequently, Hurricane Katrina struck the state of Louisiana causing severe flooding and damage to the southeastern part of the state which has threatened the safety, health, and security of the citizens of the state of Louisiana, along with the private property and public facilities;
- WHEREAS,** shortly thereafter, levees broke in the parish of Orleans, exacerbating the flooding and posing further threats to the safety, health, and security of the citizens of Louisiana, private property and public facilities;
- WHEREAS,** hundreds of people have perished and many citizens have suffered or will suffer injury and/or illness;
- WHEREAS,** R.S. 29:769(D) authorizes the governor to declare a state of public health emergency and order that the Office of Public Health exercise control over the disposition of human remains of people who died in or as a result of Hurricane Katrina and its aftermath; and
- WHEREAS,** the secretary of the Department of Health and Hospitals and the state health officer have requested there be an appointment of an Office of Public Health, State Medical Examiner to exercise control over the disposition of human remains of people who died in or as a result of Hurricane Katrina and its aftermath;

**NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO,** Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

- SECTION 1:** Pursuant to Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:724, *et seq.*, and more specifically R.S. 29:769(D), a state of public health emergency is hereby declared for the purpose of the control and disposition of human remains.
- SECTION 2:** The secretary of the Department of Health and Hospitals is hereby authorized to appoint an Office of Public Health, State Medical Examiner to exercise control over the disposal of human remains of individuals who died in or as a result of Hurricane Katrina and its aftermath.
- SECTION 3:** Such appointee is authorized and empowered to set up, operate, and control a regional morgue and autopsy facility (DMORT) in St. Gabriel, Louisiana to receive, identify, and process human remains of those who died in or as a result of Hurricane Katrina collected from the parishes affected by Hurricane Katrina, and throughout the state, for coroners who are unable or unwilling to handle the remains themselves, including but not limited to the parishes of Jefferson, Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, St.

Tammany, and Washington. Such appointee shall coordinate and cooperate with the coroners of the above parishes in the recovery, retrieval, identification, interment or cremation of hurricane related remains.

**SECTION 4:** Such appointee is authorized and empowered to order and obtain medical records, including hospital, nursing home, physicians, dental and other useful medical records of possible hurricane decedents to aid in their identification and in order to establish their cause of death.

**SECTION 5:** Such appointee is hereby authorized to sign death certificates, burial permits, and cremation permits for human remains whose death is related to Hurricane Katrina and its aftermath when the jurisdictional coroner is unidentified, unavailable, unable or unwilling to sign.

**SECTION 6:** This Order is effective upon signature and shall be applicable from Monday, September 12, 2005, until such time as amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.



**IN WITNESS WHEREOF**, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 19th day of September, 2005.

**/S/ Kathleen Babineaux Blanco**  
**GOVERNOR OF LOUISIANA**

**ATTEST BY**  
**THE GOVERNOR**

**/S/ Al Ater**  
**SECRETARY OF STATE**